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FISCAL IMPACT STATEMENT

LS 6358

BILL NUMBER: HB 1022

NOTE PREPARED: Feb 1, 2005

BILL AMENDED: Jan 19, 2005

SUBJECT: Military Base Protection Act.

FIRST AUTHOR: Rep. Koch

FIRST SPONSOR:

BILL STATUS: As Passed House

FUNDS AFFECTED: X **GENERAL
DEDICATED
FEDERAL**

IMPACT: State & Local

Summary of Legislation: (Amended) The bill establishes the Military Base Planning Council. It requires the Council to study and report on issues related to military bases. The bill also requires the Department of Environmental Management (IDEM) to give priority to permit applications concerning operations that involve ordnance and other explosive materials at military bases.

The bill provides immunity from civil liability for military bases for damages relating to: (1) noise that results from the operation of the military base that may be heard within two miles of the military base; and (2) interference with telecommunications that results from the operation of the military base and occurs within five miles of the military base. It requires a unit of local government to notify the commander of a military base located in the unit before the unit takes action concerning planning or zoning within three miles of the perimeter of the military base. It requires the commander to respond within 15 days of receiving notice. The bill also prohibits a unit from taking action that: (1) concerns planning or zoning; and (2) is adverse to a military base; within three miles of the perimeter of the military base.

Effective Date: Upon passage.

Explanation of State Expenditures: (Revised) The fiscal impact of this bill is dependent on the number of meetings held by the Military Base Planning Council (Council), the locations at which the meetings are held, and the number of members who attend.

The Council consists of representatives from the General Assembly, the Lieutenant Governor's office, and the Adjutant General's office. Representatives of the IDEM commissioner, State Emergency Management Agency

director, and Department of Transportation commissioner are also to be members of the Council.

Council members who are state employees are entitled to mileage reimbursement. As of October 2004, the mileage reimbursement rate was \$0.34 per mile. Mileage expenses are to be paid from appropriations made to the employees' respective state agencies' budgets.

Members of the General Assembly are entitled to mileage reimbursement and per diem, which currently is \$0.375 per mile and \$134 per day. Mileage reimbursement and per diem for members of the General Assembly are to be paid from appropriations made to the Legislative Services Agency or Legislative Council.

The bill states that the Governor shall provide staff to the Council as needed. Costs associated with providing such staff would be paid from appropriations made to the Governor's office.

Background: This bill applies to the Naval Weapons Support Center, Crane Division (center), located mostly in Martin County and partially in Green and Lawrence Counties in southwestern Indiana. According to state legislative district boundaries, as of November 2004, five House of Representative districts and three Senate districts include all or part of any of the three counties containing the center. Because the center is included in eight state legislative districts and three counties, the Military Base Planning Council should have 25 members.

Explanation of State Revenues:

Explanation of Local Expenditures: Members of the Council are also to include a representative from each county executive, county fiscal body, municipal executive, and municipal legislative body of each county that includes part of the center. The largest municipalities in Martin, Green, and Lawrence Counties are Loogootee, Linton, and Bedford, respectively. The fiscal impact to local entities is also dependent on the number of meetings and their locations.

Explanation of Local Revenues:

State Agencies Affected: Lieutenant Governor, Adjutant General, IDEM, INDOT, and SEMA.

Local Agencies Affected: Martin, Greene and Lawrence Counties, and Loogootee, Linton and Bedford municipalities.

Information Sources:

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